



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Alan C. Lloyd, Ph.D.
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

TO: Interested Persons

FROM: Sam Unger
Unit Chief, TMDL Unit 2
California Regional Water Quality Control Board, Los Angeles Region

DATE: August 30, 2005

**SUBJECT: NOTICE OF PUBLIC HEARING FOR PROPOSED ORDER TO
CONDITIONALLY WAIVE WASTE DISCHARGE REQUIREMENTS FOR
DISCHARGES FROM IRRIGATED LANDS IN THE LOS ANGELES REGION**

On November 3, 2005, the California Regional Water Quality Control Board (Regional Board) will consider a tentative order to conditionally waive waste discharge requirements for discharges from irrigated lands (Conditional Waiver). A public hearing is scheduled for Thursday, November 3, 2005 at 9:00 A.M., at a location to be determined. At the public hearing, the public will have opportunity to comment on the proposed Order.

The tentative Conditional Waiver, the tentative monitoring and reporting programs associated with the Conditional Waiver, the Initial Study and California Environmental Quality Act checklist, and other documentation describing the Conditional Waiver for Discharges from Irrigated Lands are available on the Regional Board website, <http://www.waterboards.ca.gov/losangeles/html/permits/waivers/waivers.html>. If you do not have access to the Internet, please contact Sandra Kelley at (213) 576-6619 for a copy of the documents.

Oral presentations should be summarized in writing to the extent possible. Time limitations on presentations may be imposed. In order to review and to assess comments, the Regional Board staff must receive written comments no later than 5:00 p.m. on October 14, 2005. Comments should be submitted to:

California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street
Los Angeles California, 90013

ATTN: Elizabeth Erickson

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Background on the Conditional Waiver for Irrigated Lands

The Regional Water Quality Control Board (Regional Board) regulates discharges of waste primarily through issuance of Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination (NPDES) permits. The California Water Code (CWC) requires that anyone discharging or proposing to discharge waste that could affect water quality must file a report of waste discharge (ROWD). After receipt of a ROWD, the Regional Board prescribes WDRs or an NPDES Permit Order. Irrigation return flows and storm water discharges from agricultural lands are currently exempted from the NPDES permit program. The CWC (§13269) allows regional boards to waive waste discharge requirements for specific types of discharge if the waiver is not against the public interest.

Regional Board staff developed a tentative Conditional Waiver for Irrigated Lands in order to update the regulation of discharges from agricultural sources in the Los Angeles Region. Several regulatory initiatives precipitated this update, including Senate Bill 390, the 2004 Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, and reports from TMDL and other watershed studies showing the impact of agricultural activities on water quality in Calleguas Creek and other waterbodies in Ventura County. Conditional Waivers for Irrigated Lands have been adopted by the RWQCB, Central Coast (Region 3) and the Regional Board, Central Valley (Region 5).

The tentative Conditional Waiver for the Los Angeles Region requires dischargers to comply individually with the waiver conditions or to participate in a group that complies with the waiver conditions. The key provisions of the waiver require dischargers to:

- Submit a Notice of Intent to Comply or participate in a group intending to comply with the Conditions of the Conditional Waiver;
- Conduct wet and dry weather monitoring of discharge or receiving water;
- Develop and submit a water quality management plan;
- Implement best management practices in accordance with approved water quality management plans;
- Submit annual monitoring reports.

At the public workshop on March 3, 2005, staff had presented the tentative Conditional Waiver for Irrigated Lands before the Regional Board to review the document and to provide direction to staff regarding appropriate revisions to the tentative Conditional Waiver. Based on Board direction and Stakeholder comments at the March 3, 2005 hearing, several revision have been incorporated. The Regional Board will consider formal action on the Conditional Waiver at the Board Hearing on November 3, 2005.

